



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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In re application of : Attny. Docket No.: ERC-DATA
Applicant: Peter I. CLARKE et al. :
Application No.: 09/711,279 : GAU 3622 Conf. No. 6853
Filed: November 10, 2000 : Examiner: Raquel ALVAREZ
For: "EMPLOYMENT SOURCING SYSTEM":
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Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

DECLARATION
UNDER 37 CFR § 1.131 OVERCOMING A REFERENCE

We, Paul Rathblott and Peter I. Clarke do hereby declare that:

1. We are inventors of the above-identified patent application.
2. We make this declaration in order to overcome any possible ground for rejection on the basis of United States Patent No. 6,618,734, to Williams et al., having a filing date of July 20, 2000, which date is prior to the filing of the above-identified application, but which is subsequent to the date on which we invented the subject matter disclosed and claimed in the above-identified patent application as filed.
3. As evidence of our prior invention, we note that a draft patent application which was transmitted by facsimile phone to Paul Rathblott on July 11, 2000 discloses our claimed invention. Copies of the draft patent application, facsimile cover sheet and machine-generated facsimile transmission confirmation accompany this declaration and

are marked "Exhibit A".

4. The act or acts relied upon to establish my invention date prior to the reference were carried out in a WTO member country or countries.

5. We hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or of any patent issuing thereon.

Respectfully submitted,

By:


Paul Rathblott

Dated:

May 10, 2007

By:


Peter I. Clarke

Dated:

May 10, 2007

Submitted by:

Roger Pitt

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I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, postage prepaid, in an envelope addressed Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450 on

July 17, 2007
Roger Pitt, Reg. No. 46,996

